

IN THE  
UNITED STATES DISTRICT COURT  
IN AND FOR THE WESTERN DISTRICT OF WASHINGTON,  
NORTHERN DIVISION

UNITED STATES OF AMERICA,  
(Petitioner)

vs.

12.497 acres of land, more or  
less, situate in the County of  
King, State of Washington, and  
POPE & TALBOT, INC., a  
corporation, et al.  
(Defendants)

DECLARATION OF TAKING

NO. \_\_\_\_\_

TO THE HONORABLE,  
THE UNITED STATES DISTRICT COURT:

I, HENRY L. STIMSON, Secretary of War of the United  
States, do hereby declare that:

1. (a) The lands hereinafter described are taken under and in accord-  
ance with the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C.  
sec. 268a), and acts supplementary thereto and amendatory thereof, and under the  
further authority of the Act of Congress approved August 16, 1890 (26 Stat. 316)  
as amended by the acts of Congress approved July 2, 1917 (40 Stat. 241), April  
11, 1918 (40 Stat. 512; 50 U.S.C. sec. 171) and March 27, 1942 (Public Law 507  
77th Congress), which acts authorize the acquisition of land for military or  
other war purposes, and the Act of Congress approved July 1, 1943 (Public Law  
108 - 76th Congress), which act appropriated funds for such purposes.

(b) The public uses for which said lands are taken are as follows:  
The said lands are necessary adequately to provide for transmitter site and  
other military purposes incidental thereto.

The said lands have been selected by me for acquisition by the United States for  
use in connection with the establishment of transmitter site for Alaska  
Communications System and for such other uses as may be authorized by Congress  
or by Executive Order, and are required for immediate use.

2. A general description of the lands being taken is set forth in Schedule "A" attached hereto and made a part hereof and is a description of the same lands described in the petition in the above entitled cause.

3. The estate taken for said public uses is a term for years ending 30 June 1944, extendable for yearly periods thereafter during the existing national emergency at the election of the United States, notice of which election shall be filed in this proceeding at least 30 days prior to the end of the term hereby taken or subsequent extensions thereof, together with the right to remove within a reasonable time after the expiration of the term or extensions thereof, any and all improvements and structures placed thereon by or for the United States, subject, however, to existing easements for public roads and highways, for public utilities, for railroads and for pipe lines.

4. A plan showing the lands taken is annexed hereto as Schedule "B" and made a part hereof.

5. The sum estimated by me as just compensation for said land, with all buildings and improvements thereon and all appurtenances thereto, and including any and all interests hereby taken in said lands, for the term beginning June 1, 1943 and ending June 30, 1944, is set forth in Schedule "A" herein, which sum I cause to be deposited herewith in the Registry of said Court for the use and benefit of the persons entitled thereto. I am of the opinion that the ultimate award for said lands will probably be within any limits prescribed by law as the price to be paid therefor.

IN WITNESS WHEREOF, the Petitioner by its Secretary of War, thereunto authorized, has caused this declaration to be signed in its name by said

HENRY L. STIMSON, Secretary of War, this the 14<sup>th</sup> day of April, A. D. 1944, in the City of Washington, District of Columbia.

A true copy:  
*Henry L. Blackwell*  
Henry L. Blackwell  
Captain, C. E.

HENRY L. STIMSON  
Secretary of War of the  
United States

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking (and of this condemnation) aggregates 12.497 acres, more or less, situate and being in the County of King, State of Washington. A description of the lands taken, together with the name of the purported owner thereof and a statement of the sum estimated to be just compensation therefor is as follows;

TRACT NO. 1

Parcel a. That piece or parcel of land situated in the County of King, State of Washington, and described as follows;

Beginning at the southeast corner of Section 13, Township 34 North, Range 3 East, W. M.; thence north  $0^{\circ} 02' 58''$  West 654.53 feet along the Range line; thence south  $89^{\circ} 57' 43''$  west 258.10 feet to the east line of present tract; thence south  $0^{\circ} 45' 23''$  east 657.47 feet along said east line to intersection with south line of Section 13; thence in Section 24 south  $0^{\circ} 45' 23''$  east 200.00 feet; thence south  $89^{\circ} 17' 52''$  west 1065.87 feet; thence south  $0^{\circ} 58' 19''$  east 250.00 feet; thence north  $89^{\circ} 17' 52''$  east 1310.09 feet; thence north  $0^{\circ} 02' 58''$  west 449.74 feet to place of beginning, containing 12.497 acres; except that portion of Puget Boulevard which lies within the above described tract which was deeded to the City of Seattle for street purposes by deed recorded in volume 832 of Deeds, page 312 and volume 834 of Deeds, page 8810, records of said County.

Parcel b. That portion of Puget Boulevard which lies within the boundary of the property described in the first part of Parcel a herein up to the part of said parcel which excepts said Boulevard, containing 12.497 acres, more or less.

Name of Purported Owner: Pope & Talbot, Inc., a California corporation.

Address of Purported Owner: 1204 Second Avenue, Seattle, Washington.

Estimated Compensation: \$172.07 for the term beginning June 1, 1943 and ending June 30, 1944.

The gross sum estimated to be just compensation for the lands hereby taken for the term beginning June 1, 1943 and ending June 30, 1944, is \$172.07.